

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA

KAMISHA NAPOLEON)	JURY TRIAL DEMANDED
Plaintiff,)	
)	
v.)	Case No. CIV-23-1134-G
)	
CREDIT COLLECTION SERVICES,)	
INC.,)	
Defendant.)	
)	

COMPLAINT AND DEMAND FOR JURY TRIAL

I. INTRODUCTION

1. This is an action for actual and statutory brought by Plaintiff Kamisha Napoleon an individual consumer, against Defendant, Credit Collection Services, Inc., (“CCS”) for violations of the Fair Debt Collection Practices Act, 15 U.S.C § 1692 *et seq.* (hereinafter “FDCPA”), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

II. JURISDICTION AND VENUE

2. Jurisdiction of this court arises under 15 U.S.C § 1692k(d) 28 U.S.C 1331. Venue in this District is proper in that the Defendants transact

business in Oklahoma City, Oklahoma County, Oklahoma, and the conduct complained of occurred in Oklahoma City, Oklahoma County, Oklahoma.

III. PARTIES

3. Plaintiff Kamisha Napoleon (hereinafter “Ms. Napoleon”) is a natural person residing in Oklahoma City, Oklahoma County, Oklahoma. Ms. Napoleon is a consumer as defined by the Fair Debt Collection Practices Act, 15 U.S.C. §1692a(3).
4. Upon information and belief, Defendant Credit Collection Services, Inc., is a Massachusetts corporation with its principal place of business located at 725 Canton Street, Norwood, MA 02062.
5. Defendant Credit Collection Services, Inc., is engaged in the collection of debt from consumers using the mail and telephone. Defendant regularly attempt to collect consumers’ debts alleged to be due to another’s. The alleged debt arose from a financial obligation that was primarily for personal, family or household purposes and is therefore a “debt as that term is defined by 15 U.S.C. §1692a(5).

IV. FACTS OF THE COMPLAINT

6. Defendant Credit Collection Services, Inc., (hereinafter referred to as “Debt Collector”) is a “debt collector” as defined by the FDCPA, 15 U.S.C 1692a(6).
7. On or about June 9, 2023, Ms. Napoleon received an SMS aka Text message from Credit Collection Services, Inc., attempting to collect a debt owed to Geico Casualty Company.
8. On or about June 13, 2023 Ms. Napoleon sent a SMS aka Text message back “I refuse to pay the debt.” Pursuing to 15 U.S.C 1692c(c).
9. On or about June 23, 2023 Ms. Napoleon received an SMS aka Text message *“This message is from CREDIT COLLECTION SERVICES (a debt collector) regarding GEICO CASUALTY COMPANY. We look forward to assisting you. Please call us @617-644-7300 or to self-service @sms.ccspayment.com. Reference File #05004418872. To opt out, reply STOP.* which was in violation of 15 USC 1692c(c).
10. On or about July 6, 2023 Ms. Napoleon received an SMS aka Text message *“This message is from CREDIT COLLECTION SERVICES (a debt collector) offering to resolve the balance of \$342.94 due GEICO CASUALTY COMPANY at a of \$137.17. You can pay by calling 603-363-1021 or by visiting sms.discountopportunity.com. Reference File*

#05004418872. Thank you. To opt out, reply STOP. which was in violation of 15 USC 1692c(c).

11. On or about August 10, 2023 Ms. Napoleon received an SMS aka Text message *“This message is from CREDIT COLLECTION SERVICES (a debt collector) regarding GEICO CASUALTY COMPANY. We look forward to assisting you. Please call us @617-644-7300 or to self-service @sms.ccspayment.com. Reference File #05004418872. To opt out, reply STOP.* which was in violation of 15 USC 1692c(c).
12. Plaintiff has suffered actual damages as a result of these illegal collection communications by these Defendant in the form of invasion of privacy, seclusion upon intrusion, anger, anxiety, decreased ability to focus on task while at work, frustration, amongst other negative emotions.

V. FIRST CLAIM FOR RELIEF
(Defendant Credit Collection Services, Inc.,)
15 U.S.C. §1692c(c)

13. Ms. Napoleon re-alleges and reincorporates all previous paragraphs as if fully set out herein.
14. The Debt Collector violated the FDCPA.
15. The Debt Collector’s violations include, but are not limited to, the following:

The Debt Collector violated 15 U.S.C § 1692c(c) of the FDCPA by failing to cease collection after receiving written notice.

16. As a result of the above violations of the FDCPA, Defendant are liable to the Ms. Napoleon actual damages, statutory damages and cost.

VI. JURY DEMAND AND PRAYER FOR RELIEF

WHEREFORE, Plaintiff Ms. Napoleon respectfully demands a jury trial and requests that judgment be entered in favor of Plaintiff and against the Debt Collector for:

- A. Judgment for the violations occurred for violating the FDCPA;
- B. Actual damages pursuant to 15 U.S.C 1692k(1)(2);
- C. Statutory damages pursuant to 15 U.S.C 1692k(2);
- D. Cost and reasonable attorney's fees pursuant to 15 U.S.C 1692k(3);
- E. For such other and further relief as the Court may deem just and proper.

Respectfully submitted:

s/ Nkem A. House
Nkem A. House, OBA #21219
House Law Group
425 W. Wilshire Blvd., Ste. E
Oklahoma City, OK 73116
405.633.1709 (telephone)

housetlawfirm@gmail.com (email)
ATTORNEY FOR PLAINTIFF